

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

CENTRAL STATES, SOUTHEAST AND	)	
SOUTHWEST AREAS PENSION FUND;	)	
and HOWARD McDougall, Trustee;	)	
	)	
and	)	Case No. 09 C 4721
	)	
CENTRAL STATES, SOUTHEAST AND	)	Judge George W. Lindberg
SOUTHWEST AREAS HEALTH AND	)	
WELFARE FUND; and HOWARD	)	Magistrate Judge Morton Denlow
McDOUGALL, Trustee;	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
VANGUARD SERVICES, INC., an Indiana	)	
corporation; DRIVER'S, INC., an Ohio	)	
corporation; VANGUARD SOUTHEAST,	)	
INC., a South Carolina corporation; VMT	)	
VANGUARD COMPANIES, INC., an	)	
Indiana corporation; VANGUARD	)	
SERVICES (CANADA), INC., a Canadian	)	
corporation; VANGUARD OF DELAWARE,	)	
INC., a Delaware corporation; CROSSSTONE,	)	
LLC, an Indiana limited liability company;	)	
PINERIDGE INSURANCE COMPANY, INC.,	)	
a Barbados corporation; V.O. FREIGHT	)	
SERVICES, INC, a Delaware corporation;	)	
	)	
Defendants.	)	

**AGREED MOTION FOR ENTRY OF CONSENT JUDGMENT**

Plaintiffs, Central States, Southeast and Southwest Areas Pension Fund, and Howard McDougall, one of its present trustees, and Plaintiffs Central States, Southeast and Southwest Areas Health and Welfare Fund, and Howard McDougall, one of its present

trustees, hereby move this Court for entry of a consent judgment in favor of Plaintiffs and against Defendants on the terms as attached hereto as Exhibit A. In support of the Motion, Plaintiffs state as follows:

1. Plaintiffs filed this action on August 4, 2009, for collection of contributions and withdrawal liability under the Employee Retirement Income Security Act of 1974, as amended ("ERISA"), 29 U.S.C. §1001 *et seq.* This Court has jurisdiction over this action under sections 502(e), 502(f), and 4301(c) of ERISA, 29 U.S.C. §§ 1132(e), 1132(f) and 1451(c).

2. Plaintiffs and Defendants have agreed to the entry of a consent judgment on the terms attached hereto as Exhibit A.

3. Defendants, by and through their counsel, Jon E. Klinghoffer, have agreed to the granting of this Motion.

WHEREFORE, Plaintiffs request that the Court grant this Motion and enter the Consent Judgment attached hereto as Exhibit A.

Respectfully submitted,

/s/ John J. Franczyk, Jr.  
John J. Franczyk, Jr. (ARDC #06224947)  
Attorney for Plaintiffs

CENTRAL STATES FUNDS  
Law Department  
9377 W. Higgins Road, 10<sup>th</sup> Floor  
Rosemont, IL 60018  
(847) 518-9800, Ext. 3464  
jfranczyk@centralstates.org

August 6, 2009

## CERTIFICATE OF SERVICE

I, John J. Franczyk, Jr., one of the attorneys for Plaintiffs, certify that on the 6<sup>th</sup> day of August, 2009, I caused the foregoing Agreed Motion for Entry of Consent Judgment to be filed electronically. This filing was served on all parties indicated on the electronic filing receipt via the Court's electronic filing system.

/s/ John J. Franczyk, Jr.

John J. Franczyk, Jr.  
One of Plaintiffs' Attorneys